

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TAY,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

CASE NO. C14-35RAJ

ORDER TO SHOW CAUSE

This matter comes before the court on the Report and Recommendation (“R&R”) of the Honorable James P. Donohue, United States Magistrate Judge, and Plaintiff’s objection to the R&R. For the reasons stated below, the court directs the clerk to TERMINATE the objection (Dkt. # 6) and orders Plaintiff to show cause, in accordance with this order, why the court should not dismiss this case for failure to state a claim.

Plaintiff has moved for leave to appear in this action in forma pauperis. Yet in his most recent financial declaration, he claimed to own property worth \$500 million. Judge Donohue understandably determined that Plaintiff was too wealthy to qualify for in forma pauperis status. Now, in his objection, Plaintiff declares himself penniless, offering an incomprehensible explanation in which the \$500 million he claimed is “intangible intellectual property.”

The court assumes, for purposes of this order, that Plaintiff is indigent and thereby qualifies financially to proceed in forma pauperis. The court nonetheless will require him

1 to submit a new application to proceed in forma pauperis. If Plaintiff continues to declare
2 that he has millions of dollars in assets, the court will not permit him to proceed without
3 paying his filing fee.

4 Plaintiff's explanations of his financial status are not the only aspects of his case
5 that are difficult to comprehend. The complaint that he proposes to file is more than 300
6 pages long and names more than 30 defendants. The court has no idea why he is suing
7 these defendants. Plaintiff cites federal statutes seemingly at random, without ever
8 explaining how those statutes give him a right to sue or how defendants have violated
9 those statutes. No defendant could be expected to respond to this complaint, because no
10 defendant would be able to determine what claims Plaintiff has stated.

11 In a case where a plaintiff proceeds in forma pauperis, the court "shall dismiss the
12 case" if it determines that the plaintiff's complaint is "frivolous or malicious" or "fails to
13 state a claim on which relief may be granted" 28 U.S.C. § 1915(e)(2)(B). To state a
14 claim on which the court may grant relief, Plaintiff must begin with a "short and plain
15 statement of the claim showing that the pleader is entitled to relief" Fed. R. Civ. P.
16 8(a)(2). What "short" means will vary from case to case; it suffices to hold that
17 Plaintiff's complaint is neither short nor does it offer a plain statement of any claim. For
18 reference, the court notes that the average complaint filed in this court is about 20 pages
19 long. Because the complaint is much too long, the court declines to review it in detail.
20 The court's preliminary review suggests that much, if not all, of the complaint is
21 frivolous.

22 The court accordingly orders Plaintiff to show cause why the court should not
23 dismiss this case without prejudice for failure to state a claim. Plaintiff must respond to
24 this order no later than April 16, 2014. The sole permissible response shall be an
25 amended complaint of fewer than 40 pages. If Plaintiff does not comply with this order,
26 the court will dismiss this case without prejudice. If Plaintiff does comply with this

1 order, the court will review his amended complaint and issue an order determining
2 whether it meets the standards of 28 U.S.C. § 1915(e)(2)(B).

3 By the same deadline, Plaintiff shall either file a new motion for leave to proceed
4 in forma pauperis, or he shall pay his filing fee. The clerk need not refer the new motion
5 to a magistrate judge, the court will consider it along with Plaintiff's amended complaint.

6 The court directs the clerk to TERMINATE Plaintiff's objections (Dkt. # 6) to the
7 R&R, and Plaintiff shall comply with this order no later than April 16, 2014, or the court
8 will dismiss this case without prejudice.

9 DATED this 31st day of March, 2014.

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12 The Honorable Richard A. Jones
13 United States District Court Judge
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